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A Texas Limited Liability Company*

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	Chapter 11
)	
CIRCUIT CITY STORES, INC.,)	Case No. 08-35653
<u>et al.</u> ,)	
)	Jointly Administered
)	
Debtors.)	
)	

**NOTICE OF TRANSFER OF CLAIM AND REQUEST
FOR ISSUANCE OF NOTICE OF TRANSFER OF CLAIM
PURSUANT TO FED. R. BANKR. P. 3001(E)**

PLEASE TAKE NOTICE that, in accordance with Rule 3001(e) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), GECMC 2005-C2 Eastex Freeway, LLC, a Texas limited liability company (the "Transferee"), shows that all rights under, title to, and/or interest in claim number 8667 filed by Parkdale Village, L.P., a Texas limited partnership (the "Transferor"), in the above-captioned bankruptcy case, as described in the summary attached

hereto and incorporated herein as **Exhibit A**, have been unconditionally transferred to the Transferee.

PLEASE TAKE FURTHER NOTICE that the clerk of the United States Bankruptcy Court is hereby requested to issue all notices required to be issued pursuant to Bankruptcy Rule 3001(e), and to serve said notice(s) upon the Transferor and all other necessary parties.

Dated: September 4, 2009.

/s/ Catherine Creely

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ATTORNEYS FOR GECMC 2005-C2 EASTEX
FREEWAY, LLC, A TEXAS LIMITED LIABILITY
COMPANY

EXHIBIT A

(Summary of Transfer of Claim)

Parkdale Village, L.P., a Texas limited partnership (the “Transferor”), is the holder of a claim (the “Claim”) (as such term is defined in section 101(5) of title 11 of the United States Code (the “Bankruptcy Code”)) set forth in proof of claim number 8667 (the “Proof of Claim”) against Circuit City Stores, Inc. (the “Debtor”) and filed in *In re Circuit City Stores, Inc.*, chapter 11 case number 08-35653, pending before the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the “Bankruptcy Court”).

The Transferor owned certain real property located in Beaumont, Jefferson County, Texas, together with all improvements and personal property described in the Deed of Trust (as hereinafter defined) (collectively, the “Property”). A legal description of the Property is attached hereto as **Exhibit 1**. On December 20, 1994, SGI Beaumont-I, Ltd., the Transferor’s predecessor in interest, as lessor, and the Debtor, as lessee, entered into a lease (the “Lease”) associated with the Property. The Claim arises from rentals accrued and unpaid as of November 10, 2008 (the “Petition Date”) and subsequent damages to the Transferor arising from the Debtor’s rejection of the Lease.

On or about March 3, 2005, Deutsche Banc Mortgage Capital, L.L.C., a Delaware limited liability company (“Lender”), made a loan (the “Loan”) to Transferor in the original principal amount of \$10,700,000.00. To evidence the Loan, the Transferor executed that certain Promissory Note (the “Note”) payable to the order of Lender and dated March 3, 2005. To secure the repayment of the indebtedness and other obligations evidenced by the Note, the Transferor conveyed to Lance Fox (the “Trustee”) the Property, and any and all leases of all or any portion of the Property, including the Lease, in trust for the benefit of Lender pursuant to that certain Deed of Trust and Security Agreement (as amended, the “Deed of Trust”) dated as of March 3, 2005. To further secure the Transferor’s obligations under the Note, the Transferor executed an assignment of leases and rents (the “Assignment”) as of March 3, 2005, in favor of Lender, whereby the Transferor assigned and pledged to Lender all of the Transferor’s right, title and interest in and to:

- (a) any and all leases and occupancy agreements now or hereafter affecting all or part of the Property and all guarantees, extensions, renewals and replacements thereof (collectively, “Leases”);
- (b) all deposits (whether for security or otherwise), rents, income, proceeds, revenue and profits of every nature of and from the Property, including, without limitation, any other payment [Transferor] may become entitled to receive with respect to any of the Leases pursuant to any bankruptcy, insolvency or reorganization or similar proceedings (collectively, “Rents”), together with the immediate right to collect and retain the Rents now or hereafter becoming due, and together with all rights that [Transferor] may have against any tenant, lessee or licensee under the Leases or against any other occupant of the Property.

GECMC 2005-C2 Eastex Freeway, LLC, a Texas limited liability company (the "Transferee"), is the owner and current holder of the Note and all liens and security interests securing it, including those under the Deed of Trust and the Assignment.

The Transferor defaulted under the terms of the Note and Deed of Trust, and the Transferee accelerated the maturity of the entire principal balance of the Note in accordance with the terms thereof. The Transferee appointed substitute trustees (the "Substitute Trustees") and instructed such Substitute Trustees to enforce the trust due to the Transferor's default and conduct a foreclosure sale (the "Foreclosure Sale") of the trust Property in accordance with the terms of the Deed of Trust.

Notice of the Foreclosure Sale was duly given as required by law, the Deed of Trust, and other documents evidencing the Note. The Foreclosure Sale was conducted by a duly appointed Substitute Trustee on September 1, 2009 in accordance with the laws of the State of Texas and pursuant to the terms of the Deed of Trust. The Transferee, being the highest bidder at the Foreclosure Sale, purchased the Property for \$6,500,000.00 as a credit bid against the outstanding indebtedness evidenced by the Note and the other documents evidencing, securing and otherwise pertaining to the Loan, and the Substitute Trustee conveyed the Property to the Transferee. Accordingly, any payment made on account of the Claim should be made payable to the Transferee at the following address:

GECMC 2005-C2 Eastex Freeway, LLC
c/o LNR Partners, Inc.
1601 Washington Avenue, Suite 700
Miami Beach, Florida 33139

EXHIBIT 1

(Legal Description of the Property)

EXHIBIT A

Property Description

TRACT ONE:

BEING a 13.38 acre tract of land in the F. Bigner Survey, Abstract No. 1 and in the Thomas Spear League, Abstract No. 50, in Beaumont, Jefferson County, Texas; said 13.38 acre tract being out of and a part of Lot 4 of the Greenberg-Rogers Subdivision as recorded in Vol. 15 Page 23 of the Map Records, Jefferson County, Texas, said 13.38 acre tract being more particularly described by metes and bounds as follows:

For a locative corner, begin at a concrete monument in the North line of U. S. Highway No. 69, 96 & 287 and in the West line of Judy Lane, a 60-foot width right-of-way;

THENCE called North 60°22'15" West with said Highway line 16.40 feet to an iron stake for angle point;

THENCE North 59°44'48" West with said Highway line 123.72 feet to an iron rod found locating the beginning of a curve to the right whose central angle is 03°01'32" and whose radius is 5671.24 feet. Said iron rod also located the lower Southeast corner of the Commercial Net Lease Realty, Inc. tract of land;

THENCE with said Highway right-of-way line and with said curve whose central angle is 03°33'25" and arc distance of called 352.09 feet to a $\frac{1}{2}$ " capped iron rod found, locating the Southwest corner of the Commercial Net Lease Realty, Inc. Tract and the Southeast and the **POINT OF BEGINNING** of the 13.38 acre tract herein described;

THENCE Northwest with said Highway right-of-way line and with the continuation of said curve with a central angle of 00°51'47", an arc distance of 85.43 pass an "X" set in concrete continuing for a total central angle of 01°27'57" (called 01°28'07") and a total arc distance of 145.10 feet (called 145.36 feet) to a 3/8" iron rod set for corner;

THENCE North 53°02'10" West (called North 53°02'10" West) with said right-of-way line 58.36 feet (called 58.36 feet) to a 3/8" iron rod set for corner;

THENCE North 53°05'40" West (called North 53°05'40" West) with said highway line 100.06 feet (called 100.06 feet) to a 3/8" iron rod set for corner;

THENCE North 52°07'30" West (called North 52°07'30" West) with said highway line at 70.18 feet pass a 3/8" iron rod set, continue for a total distance of 99.98 feet (called 99.98 feet) to a Nail set in asphalt for corner;

THENCE North 51°04'01" West (called North 51°04'01" West) with said Highway line at 25.48 feet pass a $\frac{1}{2}$ " iron rod found, continue for a total distance of 100.01 feet (called 100.01 feet) to a 3/8" iron rod set for corner;

THENCE North 50°06'18" West (called North 50°05'19" West) with said Highway line 100.12 feet (called 99.99 feet) to a 5/8" iron rod found for corner;

THENCE North 48°58'40" West (called North 48°57'00" West) with said Highway line 100.04 feet (called 100.02 feet) to a 5/8" iron rod found for corner;

Exhibit A
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THENCE North 47°18'55" West (called North 47°22'29" West) with said Highway line at 14.87 feet (called 15.00 feet) pass an "X" set in concrete, continue for a total distance of 81.00 feet (called 81.13 feet) to a 5/8" iron rod found for the Southwest corner of this tract;

THENCE North 43°45'31" East (reference bearing) with the Eastmost line of that certain tract as conveyed to Brad Klein in Clerk's File No. 2000006443 of the Official Public Records of Real Property, Jefferson County, Texas, 881.14 feet (called 880.86 feet) to a 1/2" iron rod found for corner in the Southwest right-of-way line of Concord Road;

THENCE with the South right-of-way line of Concord Road the following courses and distances:

South 43°24'42" East (called South 43°43'43" East) 49.90 feet (called 49.89 feet) to a nail set for corner;
South 40°38'47" East (called South 40°16'48" East) 50.16 feet (called 50.20 feet) to a 5/8" iron rod found (disturbed) for corner;
South 37°11'42" East (called South 37°26'55" East) 49.66 feet (called 49.94 feet) to a 5/8" iron rod found (bent) for corner;
South 34°42'33" East (called South 34°09'50" East) 49.98 feet (called 49.98 feet) to a 3/8" iron rod set for corner, a 5/8" disturbed iron rod bears North 83°43'54" East ~ 3.29 feet;
South 33°20'02" East (called South 33°35'05" East) 111.23 feet (called 111.23 feet) to a 5/8" iron rod found for corner;
South 34°01'44" East (called South 34°03'42" East) 117.94 feet (called 117.59 feet) to a 3/8" iron rod set for corner;
South 36°50'36" East (called South 36°33'34" East) 49.70 feet (called 50.10 feet) to a 1/2" iron rod found (bent) for corner;
South 45°37'11" East (called South 45°53'08" East) 50.05 feet (called 49.95 feet) to a 1/2" iron rod found (disturbed) for corner;
South 59°00'22" East (called South 58°49'48" East) 49.79 foot (called 50.04 feet) to a 5/8" iron rod found for corner;
South 71°33'27" East (called South 71°41'57" East) 46.86 feet (called 46.69 feet) to a 5/8" iron rod found in the West line of Judy Lane for corner;

THENCE with said line of Judy Lane South 13°21'23" East (called South 13°09'49" East), 192.99 feet (called 192.97 feet) to a nail found in concrete channel for corner, the Northmost corner of the Commercial Net Lease Reality, Inc. Tract;

THENCE South 80°00'23" West (called South 80°00'00" West) with the North line of said Commercial Net Lease Reality, Inc. Tract, 239.96 feet (called 240.00 feet) to a nail found in asphalt for corner;

THENCE South 09°29'27" West (called South 09°25'43" West) with a line of the Commercial Net Lease Reality, Inc. Tract, 157.58 feet (called 157.62 feet) to an "X" set in concrete for corner;

THENCE South 33°19'30" West (called South 33°17'32" West), with a line of the Commercial Net Lease Reality, Inc. Tract, 331.79 feet (called 332.41 feet) to the POINT OF BEGINNING and containing 13.38 acres of land, more or less.

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FERGUSON FIRM

PAGE 01

Exhibit A
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TRACT TWO:

Being a portion of Lots One (1), Three (3) and Four (4) of Greenberg-Rogers Subdivision, an addition to the City of Beaumont, Jefferson County, Texas according to the plat thereof recorded in Vol. 15 Page 23 Map Records, Jefferson County, Texas, said portion being the Common Area portion, as such Common Area is defined in Declaration of Reciprocal Easements and Operational Covenants and Restrictions dated 1/12/1995 recorded under Clerk's File No. 95-9502366 Official Public Records, Jefferson County, Texas executed by SGI Beaumont-I, Ltd. and David Gochman, individually and as Trustee for the Molly Gochman Gift Trust, located within that certain Tract 2A (stated to contain 2.5496 acres, more or less), that certain Tract 2B (stated to contain 1.4591 acres, more or less) and that certain Tract 2C (stated to contain 0.4585 acres, more or less), all as described on Exhibit A-2 attached to Declaration of Reciprocal Easements and Operational Covenants and Restrictions dated 1/12/1995 recorded under Clerk's File No. 95-9502366 Official Public Records, Jefferson County, Texas executed by SGI Beaumont-I, Ltd. and David Gochman, individually and as Trustee for the Molly Gochman Gift Trust, reference to which is hereby made for all purposes, including the incorporation herein of said description.